

1 ***-1261/5.184* *-1261/P3.131* SECTION 813.** 46.03 (18) (am) of the statutes is
2 amended to read:

3 46.03 (18) (am) ~~Paragraph (a) does not prevent the department from charging~~
4 ~~and collecting the cost of adoptive placement investigations and child care as~~
5 ~~authorized under s. 48.837 (7).~~ Paragraph (a) also does not prevent a county
6 department under s. 51.42 or 51.437 from charging and collecting the cost of an
7 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

8 ***-0336/3.4* SECTION 814.** 46.03 (18) (ar) of the statutes is created to read:

9 46.03 (18) (ar) A county may retain fees that it collects under this subsection
10 for services the county provides without state funding under the disabled children's
11 long-term support program.

12 ***-1261/5.185* *-1261/P3.132* SECTION 815.** 46.03 (20) (a) of the statutes is
13 amended to read:

14 46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,
15 the department may make payments directly to recipients of public assistance or to
16 such persons authorized to receive such payments in accordance with law and rules
17 of the department on behalf of the counties. Except for payments provided under ch.
18 48 or subch. III of ch. 49, the department may charge the counties for the cost of
19 operating public assistance systems which make such payments.

20 ***-1261/5.186* *-1261/P3.133* SECTION 816.** 46.03 (22) (title) of the statutes
21 is amended to read:

22 46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

23 ***-1261/5.187* *-1261/P3.134* SECTION 817.** 46.03 (22) (a) of the statutes is
24 amended to read:

1 46.03 (22) (a) ~~“Community~~ In this subsection, “community living arrangement
2 for adults” means any of the following facilities licensed or operated, or permitted
3 under the authority of the department: residential care centers for children and
4 youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under
5 s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based
6 residential facilities a community-based residential facility, as defined in s. 50.01
7 (1g); but does not include adult family homes, as defined in s. 50.01 (1), day care
8 centers, nursing homes, general hospitals, special hospitals, prisons, and jails.

9 ***-1261/5.188* *-1261/P3.135* SECTION 818.** 46.03 (22) (b) of the statutes is
10 amended to read:

11 46.03 (22) (b) Community living arrangements for adults shall be subject to the
12 same building and housing ordinances, codes, and regulations of the municipality or
13 county as similar residences located in the area in which the facility is located.

14 ***-1261/5.189* *-1261/P3.136* SECTION 819.** 46.03 (22) (c) of the statutes is
15 amended to read:

16 46.03 (22) (c) The department shall designate a subunit to keep records and
17 supply information on community living arrangements for adults under ss. 59.69
18 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving
19 all complaints regarding community living arrangements for adults and for
20 coordinating all necessary investigatory and disciplinary actions under the laws of
21 this state and under the rules of the department relating to the licensing of
22 community living arrangements for adults.

23 ***-1261/5.190* *-1261/P3.137* SECTION 820.** 46.03 (22) (d) of the statutes is
24 amended to read:

1 46.03 (22) (d) A community living arrangement for adults with a capacity for
2 8 or fewer persons shall be a permissible use for purposes of any deed covenant which
3 limits use of property to single-family or 2-family residences. A community living
4 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible
5 use for purposes of any deed covenant which limits use of property to more than
6 2-family residences. Covenants in deeds which expressly prohibit use of property
7 for community living arrangements for adults are void as against public policy.

8 ***-1261/5.191* *-1261/P3.138* SECTION 821.** 46.03 (22) (e) of the statutes is
9 amended to read:

10 46.03 (22) (e) If a community living arrangement for adults is required to
11 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,
12 at the request of the unit of government responsible for granting the special zoning
13 permission, inspect the proposed facility and review the program proposed for the
14 facility. After such inspection and review, the department shall transmit to the unit
15 of government responsible for granting the special zoning permission a statement
16 that the proposed facility and its proposed program have been examined and are
17 either approved or disapproved by the department.

18 ***-1261/5.192* *-1261/P3.139* SECTION 822.** 46.03 (29) of the statutes is
19 repealed.

20 ***-1261/5.193* *-1261/P3.140* SECTION 823.** 46.03 (39) of the statutes is
21 renumbered 48.47 (39).

22 ***-1261/5.194* *-1261/P3.141* SECTION 824.** 46.031 (3) (a) of the statutes is
23 amended to read:

24 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the
25 county board of supervisors of each county or the county boards of supervisors of 2

1 or more counties jointly shall establish a citizen advisory committee to the county
2 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory
3 committee shall advise in the formulation of the budget under sub. (1). Membership
4 on the committee shall be determined by the county board of supervisors in a county
5 with a single-county committee or by the county boards of supervisors in counties
6 with a multicounty committee and shall include representatives of those persons
7 receiving services, providers of service and citizens. A majority of the members of the
8 committee shall be citizen and service consumers. ~~At least one member of the~~
9 ~~committee shall be chosen from the governing or administrative board of the~~
10 ~~community action agency serving the county or counties under s. 46.30, if any.~~ The
11 committee's membership may not consist of more than 25% county supervisors, nor
12 of more than 20% service providers. The chairperson of the committee shall be
13 appointed by the county board of supervisors establishing it. In the case of a
14 multicounty committee, the chairperson shall be nominated by the committee and
15 approved by the county boards of supervisors establishing it. The county board of
16 supervisors in a county with a single-county committee or the county boards of
17 supervisors in counties with a multicounty committee may designate an agent to
18 determine the membership of the committee and to appoint the committee
19 chairperson or approve the nominee.

20 ***-1261/5.195* *-1261/P3.142* SECTION 825.** 46.034 (1) of the statutes is
21 amended to read:

22 46.034 (1) The department, in order to discharge more effectively its
23 responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant
24 provisions of the statutes, may establish community human services pilot programs
25 for the study, implementation, and evaluation of improved human services delivery

1 systems. In the implementation of ~~such~~ those pilot programs, the requirement of
2 statewide uniformity with respect to the organization and governance of human
3 services shall not apply. The department and local governmental bodies may
4 establish such departments, boards, committees, organizational structures, and
5 procedures as may be needed to implement the pilot programs. The departments,
6 boards, committees, and organizational structures may assume responsibilities
7 currently assigned by statute to the departments, boards, committees, or
8 organizational structures that are replaced.

9 ***-1261/5.196* *-1261/P3.143* SECTION 826.** 46.036 (1) of the statutes is
10 amended to read:

11 46.036 (1) All care and services purchased by the department or by a county
12 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under
13 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the
14 standards established under this section. The department may require the county
15 departments to submit the contracts to the department for review and approval. For
16 purchases of \$10,000 or less the requirement for a written contract may be waived
17 by the department. ~~No contract is required for care provided by foster homes or~~
18 ~~treatment foster homes that are required to be licensed under s. 48.62.~~ When the
19 department directly contracts for services, it shall follow the procedures in this
20 section in addition to meeting purchasing requirements established in s. 16.75.

21 ***-1261/5.197* *-1261/P3.144* SECTION 827.** 46.036 (4) (a) of the statutes is
22 amended to read:

23 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double
24 entry accounting system and a management information system which are
25 compatible with cost accounting and control systems prescribed by the department.

1 ~~The department shall establish a simplified double entry bookkeeping system for use~~
2 ~~by family-operated group homes. Each purchaser shall determine whether a~~
3 ~~family-operated group home from which it purchases services shall use the double~~
4 ~~entry accounting system or the simplified system and shall include this~~
5 ~~determination in the purchase of service contract. In this paragraph,~~
6 ~~"family-operated group home" means a group home licensed under s. 48.66 (1) (a) for~~
7 ~~which the licensee is one or more individuals who operate not more than one group~~
8 ~~home.~~

9 ***b0055/1.1* SECTION 829c.** 46.036 (4) (c) of the statutes is amended to read:

10 46.036 (4) (c) Unless waived by the department, biennially, or annually if
11 required under federal law, provide the purchaser with a certified financial and
12 compliance audit report if the care and services purchased exceed \$25,000. The audit
13 shall follow standards that the department prescribes. ~~A purchaser may waive the~~
14 ~~requirements of this paragraph for any family-operated group home, as defined~~
15 ~~under par. (a), from which it purchases services.~~

16 ***-1261/5.199* *-1261/P3.146* SECTION 830.** 46.037 of the statutes is
17 renumbered 49.343 and amended to read:

18 **49.343 Rates for residential child care centers and group homes. (1)**

19 Subject to sub. (1m), each residential child care center for children and youth, as
20 defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is
21 ~~licensed under s. 48.625~~ and incorporated under ch. 180, 181, 185, or 193 shall
22 establish a per client rate for its services and shall charge all purchasers the same
23 rate.

24 **(1m)** Notwithstanding sub. (1), the department, a county department under
25 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the

1 department and one or more of those county departments, and a residential child
2 care center for children and youth or group home, as described in sub. (1), may
3 negotiate a per client rate for the services of that residential child care center for
4 children and youth or group home, if the department, that county department, the
5 county departments in that group of county departments, or the department and one
6 or more of those county departments, agree to place 75% or more of the residents of
7 that residential child care center for children and youth or group home during the
8 period for which that rate is effective. A residential child care center for children and
9 youth or group home that negotiates a per client rate under this subsection shall
10 charge that rate to all purchasers of its services.

11 (2) A residential child care center for children and youth or a group home, as
12 described in sub. (1) or (1m), shall submit to the department the rate it charges and
13 any change in that rate before a charge is made to any purchaser. The department
14 shall provide forms and instructions for the submission of rates and changes in rates
15 under this subsection and a residential child care center for children and youth or
16 a group home that is required to submit a rate or a change in a rate under this
17 subsection shall submit that rate or change in a rate using those forms and
18 instructions.

19 (3) The department may require an audit of any residential child care center
20 for children and youth or group home, as described in sub. (1) or (1m), for the purpose
21 of collecting federal funds.

22 *-1261/5.200* *-1261/P3.147* SECTION 831. 46.043 (1) of the statutes is
23 amended to read:

24 46.043 (1) In addition to inpatient and outpatient services provided at mental
25 health institutes under ss. 51.05 and 51.07, the department may authorize mental

1 health institutes to offer services other than inpatient mental health services when
2 the department determines that community services need to be supplemented.
3 Services that may be offered under this section include mental health outpatient
4 treatment and services, day programming, consultation and services in residential
5 facilities, including group homes, ~~child caring institutions~~ residential care centers
6 for children and youth and community-based residential facilities.

7 ***-0364/1.1* SECTION 832.** 46.057 (2) of the statutes is amended to read:

8 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
9 department of corrections shall transfer to the appropriation account under s. 20.435
10 (2) (kx) \$1,379,300 in each fiscal year ~~2005-06~~ and ~~\$1,379,300 in fiscal year 2006-07~~
11 and, from the appropriation account under s. 20.410 (3) (hm), the department of
12 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)
13 ~~\$2,271,200~~ \$2,639,800 in fiscal year ~~2005-06~~ and ~~\$2,390,600~~ 2007-08 and
14 \$2,707,300 in fiscal year ~~2006-07~~ 2008-09 for services for juveniles placed at the
15 Mendota juvenile treatment center. The department of health and family services
16 may charge the department of corrections not more than the actual cost of providing
17 those services.

18 ***-1261/5.201* *-1261/P3.148* SECTION 833.** 46.10 (14) (b) of the statutes is
19 amended to read:

20 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
21 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
22 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
23 in a residential, nonmedical facility such as a group home, foster home, treatment
24 foster home, subsidized guardianship home, or residential care center for children
25 and youth shall be determined by the court by using the percentage standard

1 established by the department of ~~workforce development~~ children and families
2 under s. 49.22 (9) and by applying the percentage standard in the manner
3 established by the department under ~~s. 46.247~~ par. (g).

4 ***-1261/5.202* *-1261/P3.149* SECTION 834.** 46.10 (14) (g) of the statutes is
5 created to read:

6 46.10 (14) (g) For purposes of determining child support under par. (b), the
7 department shall promulgate rules related to the application of the standard
8 established by the department of children and families under s. 49.22 (9) to a child
9 support obligation for the care and maintenance of a child who is placed by a court
10 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall
11 take into account the needs of any person, including dependent children other than
12 the child, whom either parent is legally obligated to support.

13 ***-0336/3.5* SECTION 835.** 46.10 (16) of the statutes is amended to read:

14 46.10 (16) The department shall delegate to county departments under ss.
15 51.42 and 51.437 or the local providers of care and services meeting the standards
16 established by the department under s. 46.036, the responsibilities vested in the
17 department under this section for collection of patient fees for services other than
18 those provided at state facilities ~~or~~ those provided to children that are reimbursed
19 under a waiver under s. 46.27 (11), 46.275,, 46.278, or 46.2785, ~~or a waiver requested~~
20 ~~under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section~~
21 ~~9124 (8e), those provided under the disabled children's long-term support program~~
22 if the county departments or providers meet the conditions that the department
23 determines are appropriate. The department may delegate to county departments
24 under ss. 51.42 and 51.437 the responsibilities vested in the department under this

1 section for collection of patient fees for services provided at the state facilities if the
2 necessary conditions are met.

3 *-1261/5.203* *-1261/P3.150* SECTION 836. 46.16 (1) of the statutes is
4 amended to read:

5 46.16 (1) GENERALLY. The department shall investigate and supervise all the
6 charitable and curative institutions, including county infirmaries, of every county
7 and municipality, except tuberculosis sanatoriums; ~~all shelter care facilities for~~
8 ~~children and, and all hospitals, asylums, and institutions, organized for the purpose~~
9 set forth in s. 58.01, and familiarize itself with all the circumstances affecting their
10 management and usefulness.

11 *-1261/5.204* *-1261/P3.151* SECTION 837. 46.16 (2) of the statutes is
12 repealed.

13 *-1261/5.205* *-1261/P3.152* SECTION 838. 46.16 (2m) of the statutes is
14 repealed.

15 *-1261/5.206* *-1261/P3.153* SECTION 839. 46.16 (2s) of the statutes is
16 repealed.

17 *-1261/5.207* *-1261/P3.154* SECTION 840. 46.16 (3) of the statutes is
18 amended to read:

19 46.16 (3) COUNTY HOMES, POOR RELIEF. ~~It~~ The department shall visit the county
20 homes and ascertain the number of each sex and the number of mentally ill, mentally
21 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and
22 under what circumstances affecting their health, comfort, morals, and education;
23 collect statistics of the cost of support, and other important facts, of the poor relieved
24 at public expense outside of county homes; and collect information as to the adequacy

1 and efficiency of existing laws for the support and relief of the poor, and the causes
2 of pauperism in the state.

3 ***-1261/5.208* *-1261/P3.155* SECTION 841.** 46.16 (7) of the statutes is
4 amended to read:

5 46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon
6 request of the department, the attorney general or the district attorney of the proper
7 county shall aid in any investigation, inspection, hearing, or trial had under the
8 provisions of this chapter, ~~or those sections of ch. 48 relating to powers of the~~
9 department, and shall institute and prosecute all necessary actions or proceedings
10 for the enforcement of such those provisions and for the punishment of violations of
11 ~~the same those provisions.~~ The attorney general or district attorney so requested
12 shall report or confer with the department regarding the request, within 30 days
13 after the receipt of such the request.

14 ***-1261/5.209* *-1261/P3.156* SECTION 842.** 46.17 (1) of the statutes is
15 amended to read:

16 46.17 (1) The department shall fix reasonable standards and regulations for
17 the design, construction, repair, and maintenance of county homes, county
18 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities,~~
19 with respect to their adequacy and fitness for the needs which they are to serve.

20 ***-1261/5.210* *-1261/P3.157* SECTION 843.** 46.206 (1) (a) of the statutes is
21 amended to read:

22 46.206 (1) (a) The department shall supervise the administration of social
23 services, except as provided under ch. 48 and subch. III of ch. 49 and except for
24 juvenile delinquency-related services. The department shall submit to the federal
25 authorities state plans for the administration of social services, except as provided

1 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related
2 services, in such form and containing such information as the federal authorities
3 require, and shall comply with all requirements prescribed to ensure their
4 correctness.

5 ***-0905/3.10* SECTION 844.** 46.206 (1) (bm) of the statutes is amended to read:

6 46.206 (1) (bm) All records of the department relating to aid provided under
7 s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable
8 hours by members of the legislature who require the information contained in the
9 records in pursuit of a specific state legislative purpose. All records of any county
10 relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are
11 open to inspection at reasonable hours by members of the board of supervisors of the
12 county or the governing body of a city, village or town located in the county who
13 require the information contained in the records in pursuit of a specific county or
14 municipal legislative purpose. The right to records access provided by this
15 paragraph does not apply if access is prohibited by federal law or regulation or if this
16 state is required to prohibit such access as a condition precedent to participation in
17 a federal program in which this state participates.

18 ***-1261/5.211* *-1261/P3.158* SECTION 845.** 46.206 (2) of the statutes is
19 amended to read:

20 46.206 (2) The county administration of all laws relating to social services,
21 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to
22 juvenile delinquency-related programs, shall be vested in the officers and agencies
23 designated in the statutes.

24 ***-1524/P3.15* SECTION 846.** 46.21 (2m) (c) of the statutes is amended to read:

1 46.21 (2m) (c) *Exchange of information*. Notwithstanding ss. 46.2895 (9), 48.78
2 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7) and 253.07
3 (3) (c), a subunit of a county department of human services or tribal agency acting
4 under this subsection may exchange confidential information about a client, without
5 the informed consent of the client, with any other subunit of the same county
6 department of human services or tribal agency, with a resource center, a care
7 management organization, or a family long-term care district, with an
8 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral
9 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person
10 providing services to the client under a purchase of services contract with the county
11 department of human services or tribal agency or with a resource center, a care
12 management organization, or a family long-term care district, if necessary to enable
13 an employee or service provider to perform his or her duties, or to enable the county
14 department of human services or tribal agency to coordinate the delivery of services
15 to the client. An agency that releases information under this paragraph shall
16 document that a request for information was received and what information was
17 provided.

18 *-1261/5.212* *-1261/P3.159* SECTION 847. 46.21 (5) (b) of the statutes is
19 amended to read:

20 46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the
21 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

22 *-1261/5.213* *-1261/P3.160* SECTION 848. 46.215 (1) (d) of the statutes is
23 amended to read:

24 46.215 (1) (d) To make investigations that relate to services under subchs. II,
25 IV, and V of ch. 49 upon request by the department of health and family services, to

1 make investigations that relate to juvenile delinquency-related services at the
2 request of the department of corrections, and to make investigations that relate to
3 programs under ch. 48 and subch. III of ch. 49 upon request by the department of
4 ~~workforce development~~ children and families.

5 ***-1261/5.214* *-1261/P3.161* SECTION 849.** 46.215 (1) (j) of the statutes is
6 amended to read:

7 46.215 (1) (j) To make payments in such manner as the department of
8 ~~workforce development~~ children and families may determine for training of
9 recipients, former recipients, and potential recipients of aid in programs established
10 under s. 49.193, 1997 stats., and s. 49.26 (1).

11 ***-1524/P3.16* SECTION 850.** 46.215 (1m) of the statutes is amended to read:

12 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
13 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
14 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social
15 services or tribal agency acting under this section may exchange confidential
16 information about a client, without the informed consent of the client, with any other
17 subunit of the same county department of social services or tribal agency, with a
18 resource center, a care management organization, or a family long-term care
19 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
20 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
21 1g., or with a person providing services to the client under a purchase of services
22 contract with the county department of social services or tribal agency or with a
23 resource center, a care management organization, or a family long-term care
24 district, if necessary to enable an employee or service provider to perform his or her
25 duties, or to enable the county department of social services or tribal agency to

1 coordinate the delivery of services to the client. An agency that releases information
2 under this subsection shall document that a request for information was received
3 and what information was provided.

4 ***-1261/5.215* *-1261/P3.162* SECTION 851.** 46.215 (1p) of the statutes is
5 amended to read:

6 **46.215 (1p)** EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE
7 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78
8 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
9 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
10 (2) (a), a county department under this section may enter the content of any record
11 kept or information received by that county department into the statewide
12 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

13 ***-1261/5.216* *-1261/P3.163* SECTION 852.** 46.215 (2) (a) 2. of the statutes
14 is amended to read:

15 **46.215 (2) (a) 2.** In order to ensure the availability of a full range of care and
16 services, the county department of social services may contract, either directly or
17 through the department of ~~workforce development~~ children and families, with public
18 or voluntary agencies or others to purchase, in full or in part, care and services under
19 ch. 48 and subch. III of ch. 49 which the county department of social services is
20 authorized to furnish. This care and these services may be purchased from the
21 department of ~~workforce development~~ children and families if the department of
22 ~~workforce development~~ children and families has staff to furnish the services. If the
23 county department of social services has adequate staff, it may sell the care and
24 services directly to another county or state agency.

1 ***-1261/5.217* *-1261/P3.164* SECTION 853.** 46.215 (2) (b) of the statutes is
2 amended to read:

3 46.215 (2) (b) A county department of social services may purchase
4 development and training services from the department of health and family
5 services, from the department of ~~workforce development~~ children and families, from
6 the department of corrections or from other county agencies when the services are
7 available. A county department of social services may sell the development and staff
8 training services to another county or state agency if the county department has
9 adequate staff to provide the services.

10 ***-1261/5.218* *-1261/P3.165* SECTION 854.** 46.215 (2) (c) 2. of the statutes
11 is amended to read:

12 46.215 (2) (c) 2. A county department of social services shall develop, under the
13 requirements of s. 49.34, plans and contracts for care and services to be purchased
14 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~
15 children and families may review the contracts and approve them if they are
16 consistent with s. 49.34 and if state or federal funds are available for such purposes.
17 The joint committee on finance may require the department of ~~workforce~~
18 ~~development~~ children and families to submit the contracts to the committee for
19 review and approval. The department of ~~workforce development~~ children and
20 families may not make any payments to a county for programs included in a contract
21 under review by the committee.

22 ***-1261/5.219* *-1267/P1.65* SECTION 856.** 46.215 (3) of the statutes is
23 amended to read:

24 46.215 (3) PROGRAM BUDGETS. The county department of social services shall
25 submit a final budget to the department of health and family services under s. 46.031

(1), to the department of corrections under s. 301.031 (1), and to the department of ~~workforce development~~ children and families under s. 49.325 (1), for authorized services.

***-1261/5.220* *-1261/P3.167* SECTION 857.** 46.22 (1) (b) 1. b. of the statutes is amended to read:

46.22 (1) (b) 1. b. To make investigations which relate to welfare services, except as provided under ch. 48 and subch. III of ch. 49, upon request by the department of health and family services.

***-0905/3.11* SECTION 858.** 46.22 (1) (b) 1. d. of the statutes is amended to read:
46.22 (1) (b) 1. d. To submit a final budget in accordance with s. 46.031 (1) for services authorized in this section, except for the administration of and cost of aid granted under ss. 49.02, 49.19 and 49.45 to ~~49.47~~ 49.471.

***-1261/5.221* *-1261/P3.168* SECTION 859.** 46.22 (1) (b) 1. f. of the statutes is renumbered 46.22 (1) (b) 2. fm.

***-1261/5.222* *-1261/P3.169* SECTION 860.** 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

46.22 (1) (b) 2. (intro.) A county department of social services shall have the following functions, duties, and powers in accordance with the rules promulgated by the department of ~~workforce development~~ children and families and subject to the supervision of the department of ~~workforce development~~ children and families:

***-1261/5.223* *-1261/P3.170* SECTION 861.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch. III of ch. 49 upon request by the department of ~~workforce development~~ children and families.

1 ***-1261/5.224* *-1267/P1.68* SECTION 862.** 46.22 (1) (b) 2. e. of the statutes
2 is amended to read:

3 46.22 (1) (b) 2. e. To make payments in such manner as the department of
4 ~~workforce development~~ children and families may determine for training of
5 recipients, former recipients and potential recipients of aid in programs established
6 under ss. 49.193, 1997 stats., and s. 49.26 (1).

7 ***-1261/5.225* *-1261/P3.171* SECTION 863.** 46.22 (1) (b) 2. g. of the statutes
8 is amended to read:

9 46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal
10 works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility
11 for which is based on need.

12 ***-1261/5.226* *-1261/P3.172* SECTION 864.** 46.22 (1) (b) 3. (intro.) of the
13 statutes is amended to read:

14 46.22 (1) (b) 3. (intro.) A county department of social services shall have the
15 following functions, duties, and powers in accordance with the rules promulgated
16 and standards established by the department of health and family services and
17 subject to the supervision of the department of ~~workforce development~~ children and
18 families:

19 ***-1261/5.227* *-1267/P1.70* SECTION 865.** 46.22 (1) (b) 3. d. of the statutes
20 is amended to read:

21 46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~
22 ~~development~~ children and families in accordance with s. 49.325 for services
23 authorized in this subdivision.

24 ***-1261/5.228* *-1261/P3.174* SECTION 866.** 46.22 (1) (c) 8. f. of the statutes
25 is amended to read:

1 46.22 (1) (c) 8. f. The county department of social services shall implement the
2 statewide automated child welfare information system established by the
3 department under s. 46.03 48.47 (7g).

4 ***-1261/5.229* *-1261/P3.175* SECTION 867.** 46.22 (1) (d) of the statutes is
5 amended to read:

6 46.22 (1) (d) *Merit system; records.* The county department of social services
7 is subject to s. 49.78 (4) to (7). The county department of social services and all county
8 officers and employees performing any duties in connection with the administration
9 of aid to families with dependent children shall observe all rules promulgated by the
10 department of ~~workforce development~~ children and families under s. 49.78 (4) and
11 shall keep records and furnish reports as the department of ~~workforce development~~
12 children and families requires in relation to their performance of such duties.

13 ***-1524/P3.17* SECTION 868.** 46.22 (1) (dm) of the statutes is amended to read:

14 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
15 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
16 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social
17 services or tribal agency acting under this subsection may exchange confidential
18 information about a client, without the informed consent of the client, with any other
19 subunit of the same county department of social services or tribal agency, with a
20 resource center, a care management organization, or a family long-term care
21 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
22 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
23 lg., or with a person providing services to the client under a purchase of services
24 contract with the county department of social services or tribal agency or with a
25 resource center, a care management organization, or a family long-term care

1 district, if necessary to enable an employee or service provider to perform his or her
2 duties, or to enable the county department of social services or tribal agency to
3 coordinate the delivery of services to the client. An agency that releases information
4 under this paragraph shall document that a request for information was received
5 and what information was provided.

6 ***-1261/5.230* *-1261/P3.176* SECTION 869.** 46.22 (1) (dp) of the statutes is
7 amended to read:

8 46.22 (1) (dp) *Exchange of information; statewide automated child welfare*
9 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
10 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
11 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
12 (2) (a), a county department under this section may enter the content of any record
13 kept or information received by that county department into the statewide
14 automated child welfare information system established under s. 46.03 ~~48.47~~ (7g).

15 ***-1261/5.231* *-1261/P3.177* SECTION 870.** 46.22 (1) (e) 1. of the statutes is
16 amended to read:

17 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and
18 services, a county department of social services may contract, either directly or
19 through the department of health and family services, the department of ~~workforce~~
20 ~~development~~ children and families, or the department of corrections, with public or
21 voluntary agencies or others to purchase, in full or in part, care and services which
22 the county department of social services is authorized by any statute to furnish in
23 any manner. The services may be purchased from the department of health and
24 family services, the department of ~~workforce development~~ children and families, or
25 the department of corrections if the department of health and family services, the

1 department of ~~workforce development~~ children and families, or the department of
2 corrections has staff to furnish the services. The county department of social
3 services, if it has adequate staff, may sell the care and services directly to another
4 county or state agency.

5 ***-1261/5.232* *-1267/P1.73* SECTION 871.** 46.22 (1) (e) 2. of the statutes is
6 amended to read:

7 46.22 (1) (e) 2. A county department of social services may purchase
8 development and training services from the department of health and family
9 services, the department of ~~workforce development~~ children and families, or the
10 department of corrections or from other county agencies if the services are available
11 or sell the development and staff training services to another county or state agency
12 if the county department of social services has adequate staff to provide the services.

13 ***-1261/5.233* *-1261/P3.179* SECTION 872.** 46.22 (1) (e) 3. a. of the statutes
14 is amended to read:

15 46.22 (1) (e) 3. a. A county department of social services shall develop, under
16 the requirements of s. 46.036, plans and contracts for care and services, except under
17 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of
18 health and family services may review the contracts and approve them if they are
19 consistent with s. 46.036 and to the extent that state or federal funds are available
20 for such purposes. The joint committee on finance may require the department of
21 health and family services to submit the contracts to the committee for review and
22 approval. The department of health and family services may not make any payments
23 to a county for programs included in the contract that is under review by the
24 committee. The department of health and family services shall reimburse each

1 county for the contracts from the appropriations under s. 20.435 (7) (b) and (o)
2 according to s. 46.495.

3 ***-1261/5.234* *-1261/P3.180* SECTION 873.** 46.22 (1) (e) 3. b. of the statutes
4 is amended to read:

5 46.22 (1) (e) 3. b. A county department of social services shall develop, under
6 the requirements of s. 49.34, plans and contracts for care and services under ch. 48
7 and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~
8 children and families may review the contracts and approve them if they are
9 consistent with s. 49.34 and to the extent that state or federal funds are available for
10 such purposes. The joint committee on finance may require the department of
11 ~~workforce development~~ children and families to submit the contracts to the
12 committee for review and approval. The department of ~~workforce development~~
13 children and families may not make any payments to a county for programs included
14 in the contract that is under review by the committee.

15 ***-1261/5.235* *-1261/P3.181* SECTION 875.** 46.22 (2g) (d) of the statutes is
16 amended to read:

17 46.22 (2g) (d) Prepare, with the assistance of the county social services director
18 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or
19 county administrator, a final budget for submission to the department of health and
20 family services in accordance with s. 46.031 (1) for authorized services, except
21 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for
22 submission to the department of ~~workforce development~~ children and families in
23 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.
24 49, and a final budget for submission to the department of corrections in accordance
25 with s. 301.031 (1) for authorized juvenile delinquency-related services.

1 ***-1261/5.236* *-1267/P1.76* SECTION 876.** 46.22 (3m) (b) 12. of the statutes
2 is amended to read:

3 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the
4 department of health and family services, by the department of ~~workforce~~
5 ~~development~~ children and families, or by the department of corrections.

6 ***-1261/5.237* *-1261/P3.183* SECTION 877.** 46.22 (3m) (b) 17. b. of the
7 statutes is amended to read:

8 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of
9 health and family services, the secretary of ~~workforce development~~ children and
10 families, the secretary of corrections, and the county board of supervisors.

11 ***-1261/5.238* *-1261/P3.184* SECTION 878.** 46.23 (3) (a) of the statutes is
12 amended to read:

13 46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family
14 services, by the secretary of corrections, and by the secretary of ~~workforce~~
15 ~~development~~ children and families of a feasibility study and a program
16 implementation plan, the county board of supervisors of any county with a
17 population of less than 500,000, or the county boards of supervisors of 2 or more
18 contiguous counties, each of which has a population of less than 500,000, may
19 establish by resolution a county department of human services on a single-county
20 or multicounty basis to provide the services required under this section. The county
21 department of human services shall consist of the county human services board, the
22 county human services director and necessary personnel.

23 ***-1261/5.239* *-1267/P1.79* SECTION 879.** 46.23 (3) (am) 4. of the statutes is
24 amended to read:

1 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of
2 human services until the counties have drawn up a detailed contractual agreement,
3 approved by the secretary of health and family services, by the secretary of
4 corrections, and by the secretary of ~~workforce development~~ children and families,
5 setting forth the plan for joint sponsorship.

6 ***-1524/P3.18* SECTION 880.** 46.23 (3) (e) of the statutes is amended to read:

7 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
8 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
9 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of
10 human services or tribal agency acting under this section may exchange confidential
11 information about a client, without the informed consent of the client, with any other
12 subunit of the same county department of human services or tribal agency, with a
13 resource center, a care management organization, or a family long-term care
14 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
15 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
16 1g., or with a person providing services to the client under a purchase of services
17 contract with the county department of human services or tribal agency or with a
18 resource center, a care management organization, or a family long-term care
19 district, if necessary to enable an employee or service provider to perform his or her
20 duties, or to enable the county department of human services or tribal agency to
21 coordinate the delivery of services to the client. An agency that releases information
22 under this paragraph shall document that a request for information was received
23 and what information was provided.

24 ***-1261/5.240* *-1261/P3.186* SECTION 881.** 46.23 (3) (ed) of the statutes is
25 amended to read:

1 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*
2 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
3 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
4 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
5 (2) (a), a county department under this section may enter the content of any record
6 kept or information received by that county department into the statewide
7 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

8 ***-1261/5.241* *-1261/P3.187* SECTION 882.** 46.23 (5) (a) 1. of the statutes is
9 amended to read:

10 46.23 (5) (a) 1. Shall determine administrative and program policies, except as
11 provided under ch. 48 and subch. III of ch. 49 and except for juvenile
12 delinquency-related policies, within limits established by the department of health
13 and family services. Policy decisions, except as provided under ch. 48 and subch. III
14 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute
15 for the department of health and family services may be delegated by the secretary
16 to the county human services board.

17 ***-1261/5.242* *-1261/P3.188* SECTION 883.** 46.23 (5) (a) 2. of the statutes is
18 amended to read:

19 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.
20 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~
21 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of
22 ch. 49 not reserved by statute for the department of ~~workforce-development~~ children
23 and families may be delegated by the secretary of ~~workforce-development~~ children
24 and families to the county human services board.

1 ***-1261/5.243* *-1267/P1.81* SECTION 884.** 46.23 (5) (b) of the statutes is
2 amended to read:

3 46.23 (5) (b) Shall establish priorities in addition to those mandated by the
4 department of health and family services, the department of corrections, or the
5 department of ~~workforce development~~ children and families.

6 ***-1261/5.244* *-1261/P3.190* SECTION 885.** 46.23 (5) (c) 1. of the statutes is
7 amended to read:

8 46.23 (5) (c) 1. Shall determine whether state mandated services, except for
9 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
10 services, are provided or purchased or contracted for with local providers, and
11 monitor the performance of such contracts. Purchase of services contracts shall be
12 subject to the conditions specified in s. 46.036.

13 ***-1261/5.245* *-1261/P3.191* SECTION 886.** 46.23 (5) (c) 2. of the statutes is
14 amended to read:

15 46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48
16 and subch. III of ch. 49 are provided or purchased or contracted for with local
17 providers, and monitor the performance of such contracts. Purchase of services
18 contracts shall be subject to the conditions specified in s. 49.34.

19 ***-1261/5.246* *-1261/P3.192* SECTION 887.** 46.23 (5) (n) 1. of the statutes is
20 amended to read:

21 46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for
22 authorized services, except for services under ch. 48 and subch. III of ch. 49 and
23 juvenile delinquency-related services. Notwithstanding the categorization of or
24 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval
25 of the department of health and family services the county human services board

1 may expend these funds consistent with any service provided under s. 46.495 or
2 51.42.

3 ***-1261/5.247* *-1261/P3.193* SECTION 888.** 46.23 (5) (n) 2. of the statutes is
4 amended to read:

5 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for
6 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the
7 categorization of or limits specified for funds allocated under s. 48.569, with the
8 approval of the department of children and families the county human services board
9 may expend these funds consistent with any service provided under s. 48.569.

10 ***-1261/5.248* *-1261/P3.194* SECTION 889.** 46.23 (5m) (c) of the statutes is
11 amended to read:

12 46.23 (5m) (c) Prepare, with the assistance of the county human services
13 director under sub. (6m) (e), a proposed budget for submission to the county executive
14 or county administrator, a final budget for submission to the department of health
15 and family services in accordance with s. 46.031 (1) for authorized services, except
16 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
17 services, a final budget for submission to the department of ~~workforce development~~
18 children and families in accordance with s. 49.325 for authorized services under ch.
19 48 and subch. III of ch. 49, and a final budget for submission to the department of
20 corrections in accordance with s. 301.031 for authorized juvenile
21 delinquency-related services.

22 ***-1261/5.249* *-1261/P3.195* SECTION 890.** 46.23 (6) (a) (intro.) of the
23 statutes is amended to read:

24 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)
25 (f) shall have all of the administrative and executive powers and duties of managing,

operating, maintaining, and improving the programs of the county department of human services, subject to the rules promulgated by the department of health and family services for programs, except services or programs under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related services or programs, subject to the rules promulgated by the department of ~~workforce development~~ children and families for services or programs under ch. 48 and subch. III of ch. 49, and subject to the rules promulgated by the department of corrections for juvenile delinquency-related services or programs. In consultation with the county human services board under sub. (5) and subject to its approval, the county human services director shall prepare:

***-1261/5.250* *-1267/P1.84* SECTION 891.** 46.23 (6) (a) 3. of the statutes is amended to read:

46.23 (6) (a) 3. Such other reports as are required by the secretary of health and family services, by the secretary of corrections, or by the secretary of ~~workforce development~~ children and families and the county board of supervisors in a county with a single-county department of human services or the county boards of supervisors in counties with a multicounty department of human services.

***-1261/5.251* *-1261/P3.197* SECTION 892.** 46.24 of the statutes is renumbered 48.375 (9) and amended to read:

48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.
If a minor who is contemplating an abortion requests assistance from a county department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's parent, guardian, or legal custodian, or in seeking the consent of an adult family member, ~~as defined in s. 48.375 (2) (b)~~, for the contemplated abortion or in seeking

1 a waiver from the circuit court, the county department shall provide assistance,
2 including, if so requested, accompanying the minor as appropriate.

3 ***-1261/5.252* *-1261/P3.198* SECTION 893.** 46.247 of the statutes is
4 renumbered 49.345 (14) (g) and amended to read:

5 49.345 (14) (g) ~~Application of child support standard for certain children.~~ For
6 purposes of determining child support under s. 46.10 (14) par. (b), the department
7 shall promulgate rules related to the application of the standard established by the
8 department of workforce development under s. 49.22 (9) to a child support obligation
9 for the care and maintenance of a child who is placed by a court order under s. 48.355
10 or 48.357 in a residential, nonmedical facility. The rules shall take into account the
11 needs of any person, including dependent children other than the child, whom either
12 parent is legally obligated to support.

13 ***-1261/5.253* *-1261/P3.199* SECTION 894.** 46.261 (title) of the statutes is
14 renumbered 48.645 (title).

15 ***-1261/5.254* *-1261/P3.200* SECTION 895.** 46.261 (1) of the statutes is
16 renumbered 48.645 (1).

17 ***-1261/5.255* *-1261/P3.201* SECTION 896.** 46.261 (2) (title) of the statutes
18 is renumbered 48.645 (2) (title).

19 ***-1261/5.256* *-1261/P3.202* SECTION 897.** 46.261 (2) (a) (intro.) of the
20 statutes is renumbered 48.645 (2) (a) (intro.).

21 ***-1261/5.257* *-1261/P3.203* SECTION 898.** 46.261 (2) (a) 1. of the statutes
22 is renumbered 48.645 (2) (a) 1. and amended to read:

23 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
24 home or treatment foster home having a license under s. 48.62, in a foster home or
25 treatment foster home located within the boundaries of a federally recognized

1 American Indian reservation in this state and licensed by the tribal governing body
2 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
3 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor
4 custodial parent who cares for the dependent child, regardless of the cause or
5 prospective period of dependency. The state shall reimburse counties pursuant to the
6 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set
7 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the
8 child does not have legal settlement in the granting county, state reimbursement
9 shall be at 100%. The county department under s. 46.215 ~~or~~, 46.22, or 46.23 or the
10 department under s. 48.48 (17) shall determine the legal settlement of the child. A
11 child under one year of age shall be eligible for aid under this subsection irrespective
12 of any other residence requirement for eligibility within this section.

13 ***-1261/5.258* *-1261/P3.204* SECTION 899.** 46.261 (2) (a) 2. of the statutes
14 is renumbered 48.645 (2) (a) 2. and amended to read:

15 48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,
16 the department, on behalf of a child in the legal custody of a county department under
17 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child
18 who was removed from the home of a relative, ~~as defined under s. 48.02 (15)~~, as a
19 result of a judicial determination that continuance in the home of a relative would
20 be contrary to the child's welfare for any reason when ~~such~~ the child is placed in a
21 licensed ~~child caring institution~~ residential care center for children and youth by the
22 county department or the department. Reimbursement shall be made by the state
23 pursuant to as provided in subd. 1.

24 ***-1261/5.259* *-1261/P3.205* SECTION 900.** 46.261 (2) (a) 3. of the statutes
25 is renumbered 48.645 (2) (a) 3. and amended to read:

1 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
2 the department, when the child is placed in a licensed foster home, treatment foster
3 home, group home, or residential care center for children and youth or in a subsidized
4 guardianship home by a licensed child welfare agency or by a federally recognized
5 American Indian tribal governing body in this state or by its designee, if the child is
6 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
7 department under s. 48.48 (17) or if the child was removed from the home of a
8 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that
9 continuance in the home of the relative would be contrary to the child's welfare for
10 any reason and the placement is made ~~pursuant to~~ under an agreement with the
11 county department or the department.

12 ***-1261/5.260* *-1261/P3.206* SECTION 901.** 46.261 (2) (a) 4. of the statutes
13 is renumbered 48.645 (2) (a) 4. and amended to read:

14 48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,
15 or residential care center for children and youth or a subsidized guardianship home
16 when the child is in the custody or guardianship of the state, when the child is a ward
17 of an American Indian tribal court in this state and the placement is made under an
18 agreement between the department and the tribal governing body, or when the child
19 was part of the state's direct service case load and was removed from the home of a
20 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that
21 continuance in the home of a relative would be contrary to the child's welfare for any
22 reason and the child is placed by the department.

23 ***-1261/5.261* *-1261/P3.207* SECTION 902.** 46.261 (2) (b) of the statutes is
24 renumbered 48.645 (2) (b).

1 ***-1261/5.262* *-1261/P3.208* SECTION 903.** 46.261 (3) of the statutes is
2 renumbered 48.645 (3).

3 ***-1562/P4.1* SECTION 904.** 46.27 (4) (am) of the statutes is amended to read:

4 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board
5 of a resource center assumes under s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10, the duties of the
6 county long-term support planning committee under this subsection, the county
7 long-term support planning committee for the county is dissolved.

8 ***-1562/P4.2* SECTION 905.** 46.27 (4) (c) (intro.) of the statutes is amended to
9 read:

10 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~
11 ~~long-term care council~~ the governing board of a resource center has under s. ~~46.282~~
12 ~~(3) (b)~~ 46.283 (6) (b) 10, assumed the duties of the planning committee, the ~~local~~
13 ~~long-term care council~~ governing board of the resource center shall recommend a
14 community options plan for participation in the program. The plan shall include:

15 ***-1562/P4.3* SECTION 906.** 46.27 (4) (c) 5. of the statutes is amended to read:

16 46.27 (4) (c) 5. A description of the method to be used by the committee or, if
17 ~~a local long-term care council~~ the governing board of a resource center has under
18 s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10, assumed the duties of the planning committee, the
19 ~~local long-term care council~~ governing board of the resource center to monitor the
20 implementation of the program.

21 ***-0330/P6.3* SECTION 907.** 46.27 (4) (c) 8. of the statutes is amended to read:

22 46.27 (4) (c) 8. If a contract with an entity under s. ~~46.281 (1) (e) 1~~, 46.284 (2)
23 is established in the county, a description of how the activities of the entity relate to
24 and are coordinated with the county's proposed program.

25 ***-0330/P6.4* SECTION 908.** 46.27 (5) (am) of the statutes is amended to read:

1 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
2 department or aging unit shall utilize persons for each assessment who can
3 determine the needs of the person being assessed and who know the availability
4 within the county of services alternative to placement in a nursing home. If any
5 hospital patient is referred to a nursing home for admission, these persons shall work
6 with the hospital discharge planner in performing the activities specified in sub. (6).
7 The county department or aging unit shall coordinate the involvement of
8 representatives from the county departments under ss. 46.215, 46.22, 51.42 and
9 51.437, health service providers and the county commission on aging in the
10 assessment activities specified in sub. (6), as well as the person being assessed and
11 members of the person's family or the person's guardian. This paragraph does not
12 apply to a county department or aging unit in a county in which the department has
13 contracted with an entity under s. 46.281 (1) (e) ~~1~~ 46.284 (2).

14 ***-1198/P4.1* SECTION 909.** 46.27 (5) (j) of the statutes is created to read:

15 46.27 (5) (j) Within the time period specified by the department, offer
16 counseling, that is specified by the department, concerning public and private
17 benefit programs to prospective residents of community-based residential facilities
18 who are referred to the county department or aging unit under s. 50.035 (4n).

19 ***-0330/P6.5* SECTION 910.** 46.27 (6) (a) 3. of the statutes is amended to read:

20 46.27 (6) (a) 3. In each participating county, except in counties in which the
21 department has contracted with an entity under s. ~~46.281 (1) (e) 1.~~ 46.284 (2),
22 assessments shall be conducted for those persons and in accordance with the
23 procedures described in the county's community options plan. The county may elect
24 to establish assessment priorities for persons in target groups identified by the
25 county in its plan regarding gradual implementation. If a person who is already

1 admitted to a nursing home requests an assessment and if funds allocated for
2 assessments under sub. (7) (am) are available, the county shall conduct the
3 assessment.

4 ***-0330/P6.6* SECTION 911.** 46.27 (6g) (intro.) of the statutes is amended to
5 read:

6 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and
7 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an
8 assessment, unless the assessment is performed by an entity under a contract as
9 specified under s. ~~46.281 (1) (e) 1.~~ 46.284 (2), case plan, or services provided to a
10 person under this section is as follows:

11 ***-0905/3.12* SECTION 912.** 46.27 (6u) (c) 1. a. of the statutes is amended to
12 read:

13 46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 or,
14 49.47, or 49.471 (4) (a).

15 ***-0905/3.13* SECTION 913.** 46.27 (6u) (d) (intro.) of the statutes is amended to
16 read:

17 46.27 (6u) (d) (intro.) In determining financial eligibility under par. (c) 1. and
18 in calculating the amount under par. (c) 2., the county department or aging unit shall
19 include as the assets for any person, except those persons who are eligible for medical
20 assistance under s. 49.46, 49.468 or, 49.47, or 49.471 (4) (a), any portion of assets that
21 the person or the person's spouse has, after August 12, 1993, transferred to another
22 as specified in par. (b), unless one of the following conditions applies:

23 ***-0905/3.14* SECTION 914.** 46.27 (7) (am) of the statutes is amended to read:

24 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
25 shall allocate funds to each county or private nonprofit agency with which the

1 department contracts to pay assessment and case plan costs under sub. (6) not
2 otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse
3 counties for the cost of assessing persons eligible for medical assistance under s.
4 49.46, 49.468, ~~or 49.47,~~ or 49.471 (4) (a) as part of the administrative services of
5 medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds
6 allocated under this paragraph to pay the cost of long-term community support
7 services and for a risk reserve under par. (fr).

8 ***-0905/3.15* SECTION 915.** 46.27 (7) (b) of the statutes is amended to read:

9 46.27 (7) (b) From the appropriations under s. 20.435 (7) (bd) and (im), the
10 department shall allocate funds to each county to pay the cost of providing long-term
11 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to
12 persons eligible for medical assistance under s. 49.46 ~~or, 49.47,~~ or 49.471 (4) (a) or
13 to persons whom the county department or aging unit administering the program
14 finds likely to become medically indigent within 6 months by spending excess income
15 or assets for medical or remedial care. The average per person reimbursement under
16 this paragraph may not exceed the state share of the average per person payment
17 rate the department expects under s. 49.45 (6m). The county department or aging
18 unit administering the program may spend funds received under this paragraph
19 only in accordance with the case plan and service contract created for each person
20 receiving long-term community support services. Counties may use unspent funds
21 allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a
22 risk reserve under par. (fr).

23 ***-1198/P4.2* SECTION 916.** 46.27 (7) (cj) 3. a. of the statutes is repealed.

24 ***-1524/P3.19* SECTION 917.** 46.27 (7) (fr) 3. c. of the statutes is amended to
25 read:

1 46.27 (7) (fr) 3. c. If approved by a resolution of the county board of supervisors,
2 to transfer funds to a family long-term care district.

3 ***-0330/P6.7* SECTION 919.** 46.27 (9) (c) of the statutes is amended to read:

4 46.27 (9) (c) All long-term community support services provided under this
5 pilot project in lieu of nursing home care shall be consistent with those services
6 described in the participating county's community options plan under sub. (4) (c) 1.
7 and provided under sub. (5) (b). Unless the department has contracted under s.
8 ~~46.281 (1) (e) 1.~~ 46.284 (2) with an entity other than the county department, each
9 county participating in the pilot project shall assess persons under sub. (6).

10 ***-1198/P4.3* SECTION 921.** 46.27 (11) (c) 5n. a. of the statutes is repealed.

11 ***-0905/3.16* SECTION 922.** 46.275 (1m) (a) of the statutes is amended to read:

12 46.275 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.
✓ 13 49, except s. ss. 49.468 and 49.471.

14 ***-0905/3.17* SECTION 926.** 46.277 (1m) (a) of the statutes is amended to read:

15 46.277 (1m) (a) "Medical assistance" means aid provided under subch. IV of ch.
16 49, except s. ss. 49.468 and 49.471.

17 ***-1198/P4.4* SECTION 927.** 46.277 (3) (d) of the statutes is created to read:

18 46.277 (3) (d) The county department or aging unit that administers the
19 program under this section shall, within the time period specified by the department,
20 offer counseling, that is specified by the department, concerning public and private
21 benefit programs to prospective residents of community-based residential facilities
22 who are referred to the county department or aging unit under s. 50.035 (4n).

23 ***-1198/P4.5* SECTION 928.** 46.277 (5) (d) 1n. a. of the statutes is repealed.

24 ***-0905/3.18* SECTION 930.** 46.278 (1m) (b) of the statutes is amended to read:

1 46.278 (1m) (b) "Medical assistance" means aid provided under subch. IV of ch.
✓ 2 49, except s. ss. 49.468 and 49.471.

✓ 3 ***-1261/5.263* *-1261/P3.209* SECTION 933.** 46.28 (1) (f) of the statutes is
4 amended to read:

5 46.28 (1) (f) "Victim of domestic abuse" means an individual who has
6 encountered domestic abuse, as defined in s. 46.95 49.165 (1) (a).

7 ***-0330/P6.8* SECTION 934.** 46.2803 (2) of the statutes is created to read:

8 46.2803 (2) Notwithstanding s. 46.27 (7), a county in which a care management
9 organization is operating pursuant to a contract under s. 46.284 (2) or a county in
10 which a program described under s. 46.2805 (1) (a) or (b) is administered may use
11 funds appropriated under 20.435 (7) (bd) and allocated to the county under s. 46.27
12 (7) to provide community mental health or substance abuse services and supports for
13 persons with mental illness or persons in need of services or supports for substance
14 abuse and to provide services under the Family Support Program under s. 46.985.

15 ***-0330/P6.9* SECTION 935.** 46.2804 (title) of the statutes is amended to read:

16 46.2804 (title) ~~Managed care programs for~~ Client management of
17 managed care long-term care services benefit.

18 ***-0330/P6.10* SECTION 936.** 46.2804 (1) of the statutes is repealed.

19 ***-0330/P6.11* SECTION 937.** 46.2804 (2) of the statutes is renumbered
20 46.2804.

21 ***-1524/P3.20* SECTION 938.** 46.2805 (5) of the statutes is renumbered 46.2805
22 (7r) and amended to read:

23 46.2805 (7r) "Family Long-term care district" means a special purpose district
24 created under s. 46.2895 (1).

1 ***-1524/P3.21* SECTION 939.** 46.2805 (6) of the statutes is renumbered 46.2805
2 (7u) and amended to read:

3 46.2805 (7u) "Family Long-term care district board" means the governing
4 board of a family long-term care district.

5 ***-0330/P6.12* SECTION 940.** 46.2805 (6m) of the statutes is created to read:

6 46.2805 (6m) "Family member" means a spouse or an individual related by
7 blood, marriage, or adoption within the 3rd degree of kinship as computed under s.
8 990.001 (16).

9 ***-0330/P6.13* SECTION 941.** 46.2805 (6r) of the statutes is created to read:

10 46.2805 (6r) "Financial and cost-sharing screening" means a screening to
11 determine financial eligibility under s. 46.286 (1) (b) and cost-sharing under s.
12 46.286 (2) using a uniform tool prescribed by the department.

13 ***-0330/P6.14* SECTION 942.** 46.2805 (6v) of the statutes is created to read:

14 46.2805 (6v) "Frail elder" means an individual who is 65 years of age or older
15 and has a physical disability or irreversible dementia that restricts the individual's
16 ability to perform normal daily tasks or that threatens the capacity of the individual
17 to live independently.

18 ***-0330/P6.15* SECTION 943.** 46.2805 (7) of the statutes is amended to read:

19 46.2805 (7) "~~Functional and financial screen~~ screening" means a ~~screen~~
20 ~~prescribed by the department that is used~~ screening to determine functional
21 eligibility under s. 46.286 (1) (a) ~~and financial eligibility under s. 46.286 (1) (b) using~~
22 a uniform tool prescribed by the department.

23 ***-1562/P4.4* SECTION 944.** 46.2805 (7m) of the statutes is repealed.

24 ***b0185/2.1* SECTION 944r.** 46.281 (title) of the statutes is amended to read:

1 **46.281 (title) Powers and duties of the department and the, secretary,**
2 **and counties; long-term care.**

3 ***-0330/P6.16* SECTION 945.** 46.281 (1) (intro.) of the statutes is renumbered
4 46.281 (1n) (intro.), and 46.281 (1n) (title), as renumbered, is amended to read:

5 46.281 (1n) (title) ~~DUTIES~~ OTHER DUTIES OF THE DEPARTMENT.

6 ***-0330/P6.17* SECTION 946.** 46.281 (1) (c) of the statutes is renumbered 46.281
7 (1d) and amended to read:

8 46.281 (1d) WAIVER REQUEST. ~~Request~~ The department shall request from the
9 secretary of the federal department of health and human services any waivers of
10 federal medicaid laws necessary to permit the use of federal moneys to provide the
11 family care benefit to recipients of medical assistance. The department shall
12 implement any waiver that is approved and that is consistent with ss. 46.2805 to
13 46.2895. Regardless of whether a waiver is approved, the department may
14 implement operation of resource centers, care management organizations, and the
15 family care benefit.

16 ***b0185/2.2* SECTION 947m.** 46.281 (1) (d) of the statutes is renumbered 46.281
17 (1g) (b) and amended to read:

18 46.281 (1g) (b) ~~In geographic areas in which, in the aggregate, resides no more~~
19 ~~than 29 percent of the state population that is eligible for the family care benefit,~~
20 ~~contract with a county, a family care district, a tribe or band, the Great Lakes~~
21 ~~Inter-Tribal Council, Inc., or with 2 or more of these entities to manage all long-term~~
22 ~~care programs and administer the family care benefit as care management~~
23 ~~organizations. If the department proposes to contract with these entities to~~
24 ~~administer care management organizations~~ the family care benefit ~~in geographic~~
25 ~~areas in which, in the aggregate, resides more than 29 percent but less than 50~~

1 percent of the state population that is eligible for the family care benefit, the
2 department shall first notify the joint committee on finance in writing of the
3 proposed contract. The notification shall include the contract proposal; and an
4 estimate of the fiscal impact of the proposed addition that demonstrates that the
5 addition will be cost neutral, including startup, transitional, and ongoing
6 operational costs and any proposed county contribution. The notification shall also
7 include, for each county affected by the proposal, documentation that the county
8 consents to administration of the family care benefit in the county, the amount of the
9 county's payment or reduction in community aids under s. 46.281 (4), and a proposal
10 by the county for using any savings in county expenditures on long-term care that
11 result from administration of the family care benefit in the county. If the
12 cochairpersons of the committee do not notify the department within 14 working
13 days after the date of the department's notification that the committee has scheduled
14 a meeting for the purpose of reviewing the proposed contract, the department may
15 enter into the proposed contract. If within 14 working days after the date of the
16 department's notification the cochairpersons of the committee notify the department
17 that the committee has scheduled a meeting for the purpose of reviewing the
18 proposed contract, the department may enter into the proposed contract only upon
19 approval of if the committee. ~~The department may contract with these entities to~~
20 ~~administer care management organizations in geographic areas in which, in the~~
21 ~~aggregate, resides 50 percent or more of the state population that is eligible for the~~
22 ~~family care benefit only if specifically authorized by the legislature and if the~~
23 ~~legislature appropriates necessary funding~~ approves the proposed contract or if the
24 committee fails to act on the proposed contract within 59 working days after the date
25 of the department's notification.

1 ***-0330/P6.19* SECTION 948.** 46.281 (1) (e) of the statutes is repealed.

2 ***-0330/P6.20* SECTION 949.** 46.281 (1) (f) of the statutes is renumbered 46.281
3 (1n) (a).

4 ***-0330/P6.21* SECTION 950.** 46.281 (1) (g) of the statutes is renumbered
5 46.281 (1n) (b).

6 ***-0330/P6.22* SECTION 951.** 46.281 (1) (h) of the statutes is renumbered
7 46.281 (1n) (c).

8 ***-0333/P6.1* SECTION 952.** 46.281 (1) (i) of the statutes is repealed.

9 **SECTION 952m.** 46.281 (1g) (title) of the statutes is created to read:

10 46.281 (1g) (title) CONTRACTING FOR RESOURCE CENTERS AND CARE MANAGEMENT
11 ORGANIZATIONS.

12 ***-0330/P6.23* SECTION 953.** 46.281 (1g) (a) of the statutes is created to read:

13 46.281 (1g) (a) Subject to par. (b), the department may contract with entities
14 as provided under s. 46.283 (2) to provide the services under s. 46.283 (3) and (4) as
15 resource centers in any geographic area in the state, and may contract with entities
16 as provided under s. 46.284 (2) to administer the family care benefit as care
17 management organizations in any geographic area in the state.

18 ***-1562/P4.5* SECTION 954.** 46.281 (1n) (d) of the statutes is created to read:

19 46.281 (1n) (d) 1. Establish regions for long-term care advisory committees
20 under s. 46.2825, periodically review the boundaries of the regions, and, as
21 appropriate, revise the boundaries.

22 2. Specify the number of members that each governing board of a resource
23 center shall appoint to a regional long-term care advisory committee. The total
24 number of committee members shall not exceed 25, and the department shall allot

1 committee membership equally among the governing boards of resource centers
2 operating within the boundaries of the regional long-term care advisory committee.

3 3. Provide information and staff assistance to assist regional long-term care
4 advisory committees in performing the duties under s. 46.2825 (2).

5 ***b0185/2.4* SECTION 954m.** 46.281 (1n) (e) of the statutes is created to read:

6 46.281 (1n) (e) Contract with a person to provide the advocacy services
7 described under s. 16.009 (2) (p) 1. to 5. to actual or potential recipients of the family
8 care benefit who are under age 60 or to their families or guardians. The department
9 may not contract under this paragraph with a county or with a person who has a
10 contract with the department to provide services under s. 46.283 (3) and (4) as a
11 resource center or to administer the family care benefit as a care management
12 organization. The contract under this paragraph shall include as a goal that the
13 provider of advocacy services provide one advocate for every 2,500 individuals under
14 age 60 who receive the family care benefit. The department shall allocate \$190,000
15 for the contract under this paragraph in fiscal year 2007-08 and \$525,000 in each
16 subsequent fiscal year.

17 ***b0374/1.1* SECTION 954mb.** 46.281 (1n) (f) of the statutes is created to read:

18 46.281 (1n) (f) From the appropriation under s. 20.435 (7) (b), provide \$75,000
19 annually to Grant County to provide, with respect to issues concerning family care
20 benefits, liaison services between the county and a managed care organization and
21 advocacy services on behalf of the county.

22 ***-0330/P6.24* SECTION 955.** 46.281 (2) (title) of the statutes is amended to
23 read:

24 46.281 (2) (title) POWERS OTHER POWERS OF THE DEPARTMENT.

25 ***-0330/P6.25* SECTION 956.** 46.281 (3) of the statutes is amended to read:

1 46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,
2 hospital, nursing home, community-based residential facility, adult family home
3 and residential care apartment complex the date on which a resource center that
4 serves the area of the county, hospital, nursing home, community-based residential
5 facility, adult family home or residential care apartment complex is first available
6 to ~~provide a perform~~ functional screenings and financial ~~screen~~ and cost-sharing
7 screenings. To facilitate phase-in of services of resource centers, the secretary may
8 certify that the resource center is available for specified groups of eligible individuals
9 or for specified facilities in the county.

10 ***b0185/2.5* SECTION 956g.** 46.281 (4) of the statutes is created to read:

11 46.281 (4) COUNTY CONTRIBUTION. (a) In this subsection, "base amount" means
12 the amount that a county expended in calendar year 2006, as determined by the
13 department, to provide long-term care services to individuals who would have been
14 eligible for the family care benefit in calendar year 2006 if the family care benefit had
15 been available to residents of the county.

16 (b) Except as provided in par. (c), each county in which the department has a
17 contract with an entity to administer the family care benefit shall in each year of the
18 contract either pay the department the following amount or agree to reduce the
19 community aids distribution to the county under s. 46.40 (2) by the following amount:

20 1. If the base amount for the county is less than or equal to 22 percent of the
21 calendar year 2006 community aids distribution to the county under s. 46.40 (2), the
22 base amount.

23 2. If the base amount for the county is greater than 22 percent of the calendar
24 year 2006 community aids distribution to the county under s. 46.40 (2), the following
25 amounts in the following years:

1 a. For the first year that the department contracts for administration of the
2 family care benefit in the county, the base amount for the county.

3 b. For the 2nd, 3rd, and 4th years that the department contracts for
4 administration of the family care benefit in the county, the amount from the previous
5 year minus 25 percent of the difference between the base amount for the county and
6 22 percent of the calendar year 2006 community aids distribution to the county under
7 s. 46.40 (2).

8 c. For the 5th year and each subsequent year that the department contracts for
9 administration of the family care benefit in the county, 22 percent of the calendar
10 year 2006 community aids distribution to the county under s. 46.40 (2).

11 (c) Each county in which the department has a contract with an entity to
12 administer the family care benefit, and in which the department had such a contract
13 before January 1, 2006, shall annually either pay the department or agree to reduce
14 the community aids distribution to the county under s. 46.40 (2) by the amount that
15 the county paid the department, or by which the county's community aids
16 distribution was reduced, in calendar year 2006 to fund the program under ss.
17 46.2805 to 46.2895.

18 (d) The department shall deposit payments made by counties under this
19 subsection in the appropriation account under s. 20.435 (7) (g).

20 *-1562/P4.6* **SECTION 957.** 46.282 (title) of the statutes is repealed.

21 *-1562/P4.7* **SECTION 958.** 46.282 (2) of the statutes is repealed.

22 *-1562/P4.8* **SECTION 959.** 46.282 (3) (title) of the statutes is repealed.

23 *-1562/P4.9* **SECTION 960.** 46.282 (3) (a) (intro.) of the statutes is repealed.

24 *-1562/P4.10* **SECTION 961.** 46.282 (3) (a) 1. of the statutes is repealed.

25 *-1562/P4.11* **SECTION 962.** 46.282 (3) (a) 2. of the statutes is repealed.